

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED ADDITION TO AN EXISTING HOME; JEFFREY SEWARD, APPLICANT.

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 25 FT FOR A PROPOSED ADDITION TO AN EXISTING HOME; JEFFREY SEWARD, APPLICANT; OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 25 FT FOR A PROPOSED ADDITION TO AN EXISTING HOME; JEFFREY SEWARD, APPLICANT; OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #3, Van Der Weide)

(Francisco Torregrosa, Planner)

GENERAL INFORMATION	JEFFREY SEWARD 3825 EMERALD ESTATES CIRCLE APOPKA, FL 32703	R-1A DISTRICT, LDC SECTION 30.206(C)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION TO THE REAR OF AN EXISTING SINGLE-FAMILY HOME. • THE PROPOSED ADDITION WOULD ENCROACH 5 FT INTO THE 30 FT MINIMUM REAR YARD SETBACK. • THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED. 	
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3). STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> ○ NO SPECIAL CONDITIONS EXIST, WHICH ARE PECULIAR TO THE STRUCTURE; THE STRUCTURE COULD EITHER BE ROTATED AND SLIGHTLY REDUCED IN SIZE OR RELOCATED TO THE PORCH AREA TO CONFORM TO THE MINIMUM REAR YARD SETBACK. 	

	<ul style="list-style-type: none">○ THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE, SINCE THE OPPORTUNITY EXISTS TO BUILD THE PROPOSED STRUCTURE WITHOUT A VARIANCE.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUESTED AND MAKE THE APPROPRIATE FINDINGS OF FACT, UNLESS A HARDSHIP CAN BE DEMONSTRATED BY THE APPLICANT. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITION CONDITIONS DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.

PLAT OF BOUNDARY SURVEY

DESCRIPTION (As Furnished)

LOT 48, EMERALD ESTATES, according to the plat thereof as recorded
in Plat Book 54, Pages 78-82 of the Public Records of Seminole County, Florida.

(TRACT "C" - PRIVATE STREET)

Aspirin: Payment

EMERALD ESTATES CIRCLE

(60 00) code 8/W
per P.S. 454, Page 80)

FOURD NAIL & DISC
Stamped LS#200508/5073

589°40'28"E	85.12 (S)
589°40'53"E	85.00 (P)

FOUND NAIL 3-0150-4-100
Stamped ALS 200500-507.1
Back of Nail is 0315

FOUND Nail & DISC -
Stamped "LS#2005LB#5073"
Back of Walk is 0.375" S. 41

SCALE: 1" = 30'

FOUND 1 1/4" IRON PIPE WITH
CAP STAMPED "US PATENT 1873"

FOUND 1-1/4" ROV PIPE with
CAP Stamped "US 2005LE 5073"

NOTE:
NO EASEMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.

NO TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR
BOUNDARY TO THE SUBJECT PROPERTY OR THOSE OF ADJOINING LANDS
HAVE BEEN PROVIDED. THERE MAY BE DEEDS OF RECORD, UNRECORDED
DEEDS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES
OR USE OF THE SUBJECT PROPERTY.

CERTIFIED TO:

JEFFERY L SEWARD & CYNTHIA A SEWARD

READY TITLE, INC.

AMERICAN PIONEER TITLE INSURANCE COMPANY

BANK OF AMERICA

Based on the FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, Seminole County, Florida, Community Panel Number 120289, 12117C 0115, last dated 04/17/95 it appears from a reading of said map that the land described herein is shown to be within "ZONE V" (Areas determined to be outside 500-year floodplain). Said map is not a Survey and no responsibility is taken for the information contained in or the accuracy of the above referenced map.

1. This Plat represents a Boundary Survey of the description as furnished
herein by Harrison Surveying and Mapping, Inc. per client's instruction and makes
no claim regarding ownership or rights of possession.

2. Building shown hereon are based on the Eastline of lot 48.
EMERALD ESTATES, Plot Book 54, Page NO 04 5 001037 W. (per plat)

3. This surveyor has not searched the public records or abstracted the land shown hereon for encumbrances, right of way, easements and restrictions or other pertinent documents which may be found in the public records of this county. If any encumbrance was not included in the scope of services of this firm.

4. The relative distance accuracy for boundary dimensions shall be one in excess of 1 Foot in 7,500 Feet.

REVISIONS AND ADDITIONS

LEGEND:

P.C.	=	Point of Curvature
P.C.S.	=	Point of Reverse Curve
P.T.	=	Point of Tangency
P.B.	=	Plot Book
Pg.(s)	=	Page(s)
Conc.	=	Concrete
C.C.F.	=	Chain Link Fence
A.C.	=	Air Condition
R.O.W.	=	Right-Of-Way
(M)	=	Field Observation
(P)	=	Plot
(C)	=	Calculated
(D)	=	Description
E.M.T.	=	Easement
E	=	Contract

- O.R.B. = Official Records Book
- Δ = Delta (Intersection Angle)
- R = Radius
- L = Arc Length
- C.B. = Chord Bearing
- Ch. = Chord Length
- U.E. = Drainage & Utility Easement
- U.E. = Utility Easement
- Eqpt. = Equipment
- U. Box = Utility Box